IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 22889 of 2004

Between:

Noor Shareef, S/o. Abdullah,
R/o. H.No. 7-2-1225/CSRT970,

Sanath Nagar, Hyderabad. ..... PETITIONER

AND

1 The Secretary Ministry of External Affairs,

Govt. of India, New Delhi.
2 The Regional Passport Officer, Secunderabad,

Andhra Pradesh.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue Writ or Writs, Order or Orders directions or directions, particularly one in the nature of "WRIT OF MANDAMUS" and declare the action of the respondents in not considering the application submitted by the petitioner, with relevant documents for issuance of fresh pass port with correct Date of Birth is illegal, arbitrary and against the existing rules and consequently direct the respondents to issue fresh pass port to the petitioner basing on the application submitted on 26-8-2004 with correct Date of Birth.

Counsel for Petitioner : Mr.K.L.N.SWAMY, Advocate

Counsel for Respondents: Mr.A.RAJASHEKAR REDDY (SC FOR CG)

The Court at the stage of admission made the following:

ORDER:

Learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition, with a liberty to approach the Civil Court for declaration of correct date of birth of the petitioner.

Permission is accorded. Accordingly, writ petition is dismissed as withdrawn granting leave and liberty to the petitioner to approach the competent Civil Court for declaration of his correct date of birth and thereafter he can re-submit the application to the respondents for issuance of fresh passport.

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N.V.RAMANA, J

Date: 27.12.2004

DA

To

1 The Secretary Ministry of External Affairs, Govt. of India, New Delhi.
2 The Regional Passport Officer, Secunderabad, Andhra Pradesh.

3 Two C.D.copies.